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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,025	11/14/2003	Pete D. Vogt	5038-339	2855
32231	7590	09/29/2006	EXAMINER	
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			CHASE, SHELLY A	
			ART UNIT	PAPER NUMBER
			2133	

DATE MAILED: 09/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,025

Applicant(s)

VOGT, PETE D.

Examiner

Shelly A. Chase

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

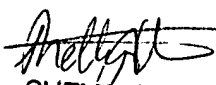
- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 04, 05 & 06.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.


SHELLY CHASE
PRIMARY EXAMINER

DETAILED ACTION

1. Claims 1 to 24 are presented for examination.

Information Disclosure Statement

2. The references listed in the information disclosure statement submitted on 10-20-2004, 8-5-2005 and 2-6-2006 have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4, recites the limitation "the entire CRC code" recited on line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 to 24 are rejected under 35 U.S.C. 102(e) as being anticipated by

McDaniel (USP 7055085 B2).

Claims 1 and 15:

McDaniel substantially teaches the claimed invention. McDaniel teaches a system and method that protects heading information using a dedicated cyclic redundancy check (CRC) code, the method comprising: a command unit (20) providing a header processor (60) with a data transfer command ("first portion of the frame") wherein the header processor performs a CRC process on the header data (see col. 3, lines 40 et seq.). McDaniel also teaches that the system includes a memory (30) having data (40) ("second portion of the frame") being transferred to a data movement (70) wherein the data movement performs CRC process on the data (see col. 3, lines 51 et seq.).

McDaniel further teaches that the data packet may be fully describing i.e., the second system can process each packet independently (see col. 3, lines 65 to col. 4, line 5) and that each data block may be associated with a respective header (see col. 4, lines 20 to 24). McDaniel teaches that the system receives header information in the form of a command first and performs a CRC on the header information before it receives the data information from the memory as well as transferring the header information first to the second system where the second system performs a CRC check

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on the header information before transferring the data information (see fig. 3 and col. 4, lines 30 to 45) which reads on “transmitting a CRC code for the first portion of the frame before the second portion of the frame is finished transmitting.”

As per claims **2** and **16**, McDaniel teaches that the data transfer includes transferring the header information as well as the header CRC before transferring the data information (see fig. 4-5 and col. 4, lines 10 et seq.).

As per claims **3** and **4**, McDaniel teaches that the CRC result from the header processor is added to the header information and that the two data streams may be concatenated into a data packet (see fig. 2, and col. 3, lines 50 to 60).

As per claims **5** and **17**, McDaniel teaches that the header information is due to a command receive from the command unit (20) (see col. 3, lines 40 to 50).

As per claims **6** and **7**, McDaniel teaches that the header information has an associated CRC data and that the data information has an associated CRC data wherein a header packet or data packet may be divided into a plurality of blocks with each block including a respective CRC (“a portion of the second CRC code”) (see col. 4, lines 6 to 24.).

Claims 8 and 18:

McDaniel substantially teaches the claimed invention. McDaniel teaches a system and method that protects heading information using a dedicated cyclic redundancy check (CRC) code, the method comprising: a second system (100) receiving a data packet and a buffer (160) of the second system separates the data

packet into header information and data information (see fig. 1 and col. 4, lines 25 to 30). McDaniel also teaches that the header information ("first portion of the frame") is received by a header CRC unit (140) and is checked for errors (see fig. 4 and col. 4, lines 30 to 35) after which the data information is received and the data information is checked for errors (see fig. 5 and col. 4, lines 56 et seq.).

McDaniel further teaches that the data packet may be fully describing i.e., the second system can process each packet independently (see col. 3, lines 65 to col. 4, line 5) and that each data block may be associated with a respective header (see col. 4, lines 20 to 24). McDaniel teaches that the system receives header information in the form of a command first and performs a CRC on the header information before it receives the data information from the memory as well as transferring the header information first to the second system where the second system performs a CRC check on the header information before it receives the data information (see fig. 3 and col. 4, lines 30 to 45) which reads on "receiving a CRC code for the first portion of the frame before the second portion of the frame is completely received."

As per claims **9** and **19**, McDaniel teaches that the data received by the second system includes receiving the header information as well as the header CRC before receiving the data information (see fig. 4-5 and col. 4, lines 10 et seq.).

As per claims **10** and **11**, McDaniel teaches that the CRC unit checks the header information for errors before it process the data information (see col. 4, lines 40 to 60).

As per claims **12** and **20**, McDaniel teaches that the header information is due to a command receive from the command unit (20) (see col. 3, lines 40 to 50).

As per claim 13, McDaniel teaches that the data packet may be concatenated in different order (see fol. 3, lines 65 to 67); interpreted as "wherein the second portion of the frame comprises a second command."

As per claim 14, McDaniel teaches that the memory unit having data thereon is transferred to the data movement module (see col. 3, lines 50 to 53).

As per claim 21, McDaniel teaches that the second system checks the header information first for error (see fig. 4 and col. 4, lines 25 et seq.).

Claims 22 and 23:

McDaniel substantially teaches the claimed invention. McDaniel teaches a system and method that protects heading information using a dedicated cyclic redundancy check (CRC) code, the method comprising: a command unit (20) providing a header processor (60) with a data transfer command ("first portion of the frame") wherein the header processor performs a CRC process on the header data (see col. 3, lines 40 et seq.). McDaniel also teaches that the system includes a memory (30) having data (40) ("second portion of the frame") being transferred to a data movement (70) wherein the data movement performs CRC process on the data (see col. 3, lines 51 et seq.).

McDaniel further teaches that the data packet may be fully describing i.e., the second system can process each packet independently (see col. 3, lines 65 to col. 4, line 5) and that each data block may be associated with a respective header (see col. 4, lines 20 to 24). McDaniel teaches that the system receives header information in the

form of a command first and performs a CRC on the header information before it receives the data information from the memory, which reads on "transmitting a CRC code for the first portion of the frame before the second portion of the frame is finished transmitting."

McDaniel teaches that a second system (100) receiving a data packet and a buffer (160) of the second system separates the data packet into header information and data information (see fig. 1 and col. 4, lines 25 to 30). McDaniel also teaches that the header information ("first portion of the frame") is received by a header CRC unit (140) and is checked for errors (see fig. 4 and col. 4, lines 30 to 35) after which the data information is received and the data information is checked for errors (see fig. 5 and col. 4, lines 56 et seq.). McDaniel further teaches that the second system performs a CRC check on the header information before receiving the data information (see fig. 3 and col. 4, lines 30 to 45), which reads on "receiving a CRC code for the first portion of the frame before the second portion of the frame is completely received."

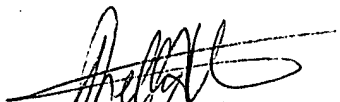
As per claim 24, McDaniel teaches that the header information is due to a command receive from the command unit (20) (see col. 3, lines 40 to 50).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelly A. Chase whose telephone number is 571-272-3816. The examiner can normally be reached on Mon-Thur from 8:00 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



SHELLY CHASE
PRIMARY EXAMINER